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MAR 23 2005

Attorney Docket No: ONX-113/DIV

In the United States Patent and Trademark Office

Application No.: 10/747,875  
Filed: December 29, 2003  
Title: PWM-BASED MEASUREMENT INTERFACE FOR A  
MICRO-MACHINED ELECTROSTATIC ACTUATOR  
Applicant: David Horsley et al.  
Examiner: Howard L. Williams  
Art Unit 2819

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (703) 872 9306

Date of Transmission: 3/23/2005

John D. Isenberg  
Signature

Joshua D. Isenberg  
Name of Person Signing

Information Disclosure Statement

Commissioner of Patents and Trademarks  
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is requested that the document(s) on the enclosed form be made of record.

Adjustment date: 03/25/2005 EBONNER

This statement is filed pursuant to:

Part I (Authority)

03/24/2005 EBONNER 00000029 10747875

( ) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within five months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

(X) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

( ) 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

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Conditional Petition

100.00 0P

Void date: 03/24/2005 EBONNER  
I respectfully request that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category of record.

03/28/2005 EBONNER 00000001 10747875

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

#### Part II (Payment)

A credit card payment form (PTO-2038) is enclosed as indicated:

- No fee is due.
- The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

#### Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- No certification is necessary.
- (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
- (2) The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
- (3) The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- (4) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

#### Part IV (Additional Statement)

An additional statement regarding these items of information ( ) is, (X) is not, enclosed.

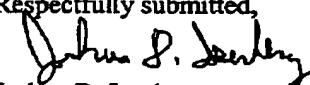
Copies of the cited art references \_\_\_\_\_ ( ) are enclosed,

Copies of the cited art references A, B, C (X) are of record in parent application Serial No. 10/012,688 and will be provided if the Examiner deems it convenient.

Copies of the cited art references A, B, C (X) are not required under 37 CFR 1.98(a)(2)(i) because they are U.S. Patents and/or U.S. Patent Publications.

Dated: 3/23/2005

Respectfully submitted,

  
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Sheet 1 of 1

FORM PTO-1449U.S. DEPARTMENT OF COMMERCE				ATTY. DOCKET NO. ONX-113/DIV		SERIAL NO. 10/747,875	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b> (Use several sheets if necessary)				APPLICANT David Horsley et al.			
				FILING DATE December 29, 2003		GROUP 2819	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	6,674,383	1/6/2000	Horsley et al.	341	152	10/30/2001
	B	6,386,032	5/14/2002	Lemkin et al.	73	504.02	8/1/2000
	C	5,852,242	12/22/1998	Devolk et al.	73	514.17	12/4/1995
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES      NO
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED			
<p>* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							